

JUDGE CASTILLO'S STANDING PRETRIAL  
ORDER FOR ALL CRIMINAL CASES

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## **Pretrial Procedures in Criminal Cases**

### **I. Arraignment Schedule**

Arraignments generally are scheduled seven days after an indictment or information is filed. A Local Criminal Rule 10.1 conference should be held seven days after an arraignment. Seven days after that, defendant's pretrial motions are due. Seven days after that, the case generally will be set for status.

### **II. Motion Practice**

Motions are heard on Wednesdays at 9:30 a.m. Motions may also be noticed for hearing in conjunction with a set status call.

The original motion and one copy shall be filed in the clerk's office on the 20th floor no later than the third business day preceding the day the motion is to be heard. Original filings shall not be accepted in chambers, however, a courtesy copy should be delivered to chambers at the time of filing.

Uncontested or agreed motions should be so identified. The movant in all motions shall contact the minute clerk or chambers the afternoon prior to the hearing date to determine whether an appearance is necessary. If an appearance is not necessary, it is the obligation of the movant to notify the respondent(s) accordingly.

Trial dates will not be reset except by written motion. Motions to reset a trial date, whether uncontested or contested, normally will require a court appearance.

Counsel shall not respond to motions by correspondence with the Court.

A. Emergency Motions

Emergency matters must be of such a nature that a delay in hearing them would cause serious harm to one or more of the parties. Requests to set a hearing on an emergency motion shall be made to the minute clerk (Room 2316-A) with as much advance notice as possible. All reasonable efforts must be made to give actual notice to opposing counsel.

B. Discovery Motions

Discovery motions shall not be heard unless the requirements of Local Criminal Rule 12.1 are satisfied.

**III. Memoranda of Law**

The fifteen (15) page limitation on all memoranda contained in Local General Rule 7.1 shall be strictly enforced. A motion for leave to exceed that limit is looked upon with disfavor and shall not be granted except in unusual circumstances.

Parties are to attach to their memoranda copies of any cited authority that is unpublished in the West National Reporter System and unavailable on Westlaw or Lexis.

Citations should follow the format prescribed in "A Uniform System of Citation" (the "Bluebook"). Illinois cases should be cited to both N.E.2d and Illinois Decisions.

**IV. Briefing Schedules**

Briefing schedules generally are set by court order. A motion for extension of time shall not be granted except on a showing of good cause. If no motion for an extension of time is filed before the time a brief is due, the Court will proceed to

rule on the motion in accordance with the briefing schedule set. The circumstances warranting an extension shall be set forth in specific detail by written motion.

#### **V. Status Hearings**

Status hearings are held on Wednesdays at 10:00 a.m. Status calls are scheduled to review the general status of the case and to enable the Court to set cases for trial. Counsel of record primarily responsible for a case are expected to appear at status calls.

#### **VI. Guilty Pleas**

All guilty pleas must be completed before the date of the final pretrial conference. A copy of the plea agreement shall be submitted to chambers the day before the hearing on the change of plea.

On the date a guilty plea is entered, the Court will set a schedule for filing written objections to sentencing reports.

#### **VII. Final Pretrial Conference**

A final pretrial conference is held prior to all jury trials. Trial counsel shall attend and be fully prepared and have authority to discuss all aspects of the case, including scheduling of the trial and trial procedures. Motions shall not be heard at final pretrial conferences.

#### **VIII. Trials**

Trial procedures shall follow those set forth in this Court's Trial Procedures Order.

The Assistant United States Attorney is requested to produce all \$ 3500 material to defense counsel as soon as possible after the return of an indictment in order to give defense counsel adequate time to review the material, evaluate it with his or her client, and be prepared for trial, without using court time.

#### **IX. Sentencing**

Sentencing hearings are usually scheduled at 1:00 p.m. on Wednesdays.

Objections to sentencing reports must be in writing and submitted in accordance with the schedule set by the Court on the date a guilty plea is entered.

#### **X. Transcript**

Persons requesting daily or hourly transcript of a trial or other evidentiary hearing that may reasonably be expected to last more than one day should place the order with the court reporter at least five business days prior to the first day of such proceedings.

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**Judge Ruben Castillo**  
**United States District Court**

**June 19, 2002**